

**QUESTIONS/COMMENTS FROM INDUSTRY ON THE FINAL RFP FOR THE WEST VALLEY PHASE 1  
DECOMMISSIONING – FACILITY DISPOSITION PROCUREMENT AND THE GOVERNMENT’S RESPONSES**

No.	Final RFP Section	Industry Question/Comment	Government Response
1.	Section B.2,  Section C.9.0	<p><b>Definition of Completion for CLIN 006 (page B-7):</b> This definition is provided as a criterion for determining if requirements for PBIs related to CLIN 006 have been met. The following definition for completion is provided: “Completion: Contractor will dispose of the Legacy Waste at an approved off-site licensed disposal facility. All physical activities shall be completed prior to the end of the contract period. [Note: Evidence of waste shipment is NOT evidence of completion – only evidence that the waste has been accepted at an appropriate received site is proof of completion.] For waste where liability is attached until final disposal is complete, the only acceptable proof of completion is actual disposal records. All activities shall be completed no later than [completion date to be proposed by Offerer and inserted at time of contract award].” Scope (page C-32) states: “All TRU waste shall be packaged in accordance with the Waste Acceptance Criteria and the contact handled TRU and remote handled TRU packaging instructions for the Waste Isolation Pilot Plant until a defense determination can be made. All waste, including Legacy, Interim Endstate Contract-Generated, and Contract Generated Waste, with a pathway for disposal shall be shipped off site to an approved disposal site. All waste without a pathway for disposal shall be safely and cost effectively stored on site for the duration of the contract.” How will the Offeror earn the PBI for CLIN 006 if legacy waste cannot be shipped?</p>	The contractor needs to demonstrate that waste without a pathway for disposal (e.g. TRU per Section L-11) is safely and effectively stored onsite. This can be done by complying with the contract requirements, in particular the applicable Section J-1 and J-2 requirements such as laws, regulations and DOE Orders.
2.	Section B.5	<p>Will DOE consider including clause B.5(b) (page B-8), shown below, from the Draft RFP in the Final RFP in order toe encourage large businesses to involve small businesses in meaningful work on the Phase 1 Decommissioning – Facility Disposition Procurement? <i>B.5(b) The fee restriction in paragraph (a) does not apply to</i></p>	As requested, the original Allowability of Subcontractor Fee clause that was in the Draft Request for Proposals issued on August 30, 2010, has been reinstated via Amendment 001.

No.	Final RFP Section	Industry Question/Comment	Government Response
		<i>members of the contractor's team that are: (1) small business(es); (2) protégé firms as part of an approved Mentor-Protégé relationship under the Section H Clause, Mentor-Protégé Program; or (3) subcontractors under a competitively awarded firm-fixed-price or firm-fixed-unit-price subcontract.</i>	
3.	Section C.3.0	<b>Permeable Treatment Wall (PTW) Management – CLIN 001 (page C-21)</b> states: “The Contractor shall operate and maintain the PTW in accordance with the PTW Operation and Maintenance Plan.” Later in the paragraph states: “The Contractor shall maintain the soil catchment area in accordance with the Catchment Maintenance Plan.” These two plans do not appear to be provided on the Documents Library page of the WVDP Phase 1 Decommissioning – Facility Disposition Procurement website. Will DOE be adding these documents to the Documents Library and can DOE indicate approximately when that will be?	The requested documents will be made available through this WVDP procurement website in the Documents Library.
4.	Section C.5.0	<b>High Level Waste Canister Storage – CLIN 002 (page C-22)</b> : This section identifies that canister over-packs used in storage for the West Valley HLW need to be certified for shipping per 10 CFR 71 and have a Certificate of Compliance. This section does not address storage of the canister over-packs for the 50 year period on the DCSA at West Valley per the requirements of 10 CFR 72. Are the storage of the canister over-packs and storage modules required to meet 10 CFR 72?	Contractor should provide a Certificate of Compliance for transportation only, Storage of the HLW Canisters will be under DOE Directives
5.	Section C.7.0	<b>Waste Tank Farm – CLIN 001 (page C-30)</b> : Does DOE want the Offeror to provide a plan for treatment of Tank 8D-4 wastes? If so, what data are DOE providing to support a waste treatment and packaging proposal?	DOE expects the Contractor to characterize the contents of 8D-4 and to provide a recommendation for their disposition. DOE will subsequently request a proposal from the Contractor if DOE pursues a recommendation for disposition.
6.	Section C, Attachment C-1:	Will DOE provide the quantity and characteristics of the Interim Endstate Contract-Generated waste?	The term “Interim Endstate Contract waste” will be struck from the PWS via Amendment 001 since it is considered legacy waste. The quantities of the various types of legacy waste can be found in Section L-11. Offerors should assume that the wastes have



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		<p>I.55 FAR 52.223-3 Hazardous Material Identification and Material Safety Date (Jan 1997) – Alternate 1 (Jul 1995)</p> <p>I.67 FAR 52.227-23 Rights to Proposal Data (Technical) (Jun 1987)</p> <p>I.119 DEAR 952.227-82 Rights to Proposal Data (Apr 1994)</p> <p>A fill-in information list is not a requirement in L.3 Proposal Preparation Instructions – Volume I: Offer and Other Documents. Are these clauses to be filled in and submitted in Volume I of the proposal?</p>	
10.	Section J	<p><b>Attachment J-3, item 26, Key Personnel List (page J-9):</b> Text in the Frequency Column states Item 26 is to be submitted with proposal and updated as necessary prior to changes being implemented. A Key Personnel List is not, however, a requirement in L.3 Proposal Preparation Instructions – Volume I: Offer and Other Documents. Is the Key Personnel List is to be submitted in Volume I of the proposal?</p>	The Key Personnel List identifying each individual by name and position is part of the Volume II, Technical Proposal. The Key Personnel List shall include the General Manager, Deputy General Manager, ESH&Q Manager, and a minimum of two other positions/individuals
11.	Section L.2(d)	<p><b>Overall Arrangement of Proposal (page L-7)</b> states: “All pages of each volume shall be appropriately numbered, and identified with the name of the Offeror, the date, and the solicitation number.”</p> <p>Given the unpredictable nature of a proposal cycle, submission dates often change, will DOE consider changing the page specification to remove the requirement for the date?</p>	Offerors may use the due date for receipt of proposals or the anticipated date of proposal submission.
12.	Section L.2(h)	<p><b>Binding and Labeling (pages L-8 and L-9)</b> states: “Each volume shall be separately bound in three-ringed loose-leaf binders. Staples shall not be used. The outside front cover of each binder shall indicate the Offeror’s name, the solicitation number, the title of the solicitation, and the copy number (i.e., sequentially number the required copies with the original being Copy No. 1). The same identifying data shall be placed on the spine of each binder to facilitate identification and accountability when placed in a vertical position.”</p> <p>Should the volume number and name be added to the list of information on the front cover and spine of each binder?</p>	The Government recommends that Offerors put the volume number and title on the front cover and the spine of each binder. However, this is not required.
13.	Section	<b>Binding and Labeling (page L-9)</b> states: “Pages shall be	This requirement refers to all three volumes. Offerors shall

No.	Final RFP Section	Industry Question/Comment	Government Response
	L.2(h)	<p>numbered sequentially by volume and by individual sections within each volume.”</p> <p>Does this requirement refer to only Volume II sections with page limitations? Is it correct to assume that the pages can be numbered as shown in the following example?</p> <p>Factor 1-1 to Factor 1-75  Factor 2-76 to Factor 2-100  Resume-1 to Resume-x  Factor 3-1 to Factor 3-x  Factor 4-1 to Factor 4-x</p>	<p>number the pages in each volume sequentially so that the various sections within each volume can be readily located by the Government by looking at the Tables of Contents. The numbering system used as an example or any other system of sequential numbering will be acceptable.</p>
14.	Section L.2(i)	<p><b>Page Description (page L-9):</b> This section specifies that 10-point or larger Arial or Times New Roman font type must be used for graphs, tables and spreadsheets. It also states that use of bold-faced type are acceptable. Therefore, we assume that font type refers to typeface meaning the family of fonts associated with that type of font—e.g., bold, italics, black. It would also refer to Arial Narrow, which is the same typeface. Arial Narrow is not appropriate in text, but we assume that its use in graphics and schedules conforms with this font type requirement. Is our assumption that “font type” refers to typeface correct?</p>	<p>Offerors shall use only Arial or Times New Roman font. Arial Narrow shall not be used. Offerors will have the flexibility to use bold-faced type in their proposals as they consider appropriate.</p>
15.	Section L.4(b)(1)	<p><b>Key Personnel Resumes and Organizational Structure (page L-17)</b> states: “The Offeror shall propose five (5) Key Personnel they consider to be essential to the successful accomplishment of the PWS.”</p> <p>Does this requirement limit the contractor to only five Key Personnel?</p>	<p>Section L.4(b)(1) has been revised via Amendment 001. The proposed Key Personnel shall include the General Manager, Deputy General Manager, ESH&amp;Q Manager, and a minimum of two other positions/individuals.</p>
16.	Section L.4(b)(1)	<p><b>Key Personnel Resumes and Organizational Structure (page L-17)</b> states: “Failure to submit letters of commitment and resume formats as shown may result in the Offeror receiving a lower rating for this factor or the Offeror’s proposal being eliminated from further consideration for award.”</p> <p>If the resume form is used exactly as provided in Attachment L-1 – Resume Format (page L-i), it will violate the L-2 requirements. When saved to Word from the Adobe Acrobat file, Attachment L-1 has 11 point Helvetica type, the margins are less than one inch, and the footer and header information</p>	<p>Offerors may provide the information requested in the resumes and letters of commitment forms formatted so that they meet the L-2 requirements.</p>

No.	Final RFP Section	Industry Question/Comment	Government Response
		is not correct. May we provide the information requested in the resumes and letters of commitment forms in the order shown, but formatted so that they meet the L-2 requirements: 1 inch margins, required header and footer information, use of two columns and bold text, 12 point Arial or Times New Roman Fonts, etcetera?	
17.	Section L.5(u)	<b>L.5(u) (page L-35):</b> references a “list of GFP provided in Section J Attachments titled, Government Furnished Property.” When will this attachment be provided?	The Property List will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
18.	Section L	<b>Attachment L-8:</b> There is no WBS number associated with Transition Costs on the 3rd tab of Attachment L-8. Would DOE prefer to have these costs: (1) absorbed into the element 1.0; (2) established as a separate WBS; or (3) some other vehicle to address and track transition costs in the estimate and in the rest of the cost volume?	Transition costs shall not be absorbed into any element of the Performance Work Statement. Offerors will, otherwise, have the flexibility to decide how to address transition costs in their proposal provided that all costs included for transition in the template in Attachment L-8 can be readily explained and substantiated.
19.	Section L	Section L.4(c), Factor 3 - Relevant Experience, appears to request that Part A of Attachment L-4 be included in this section for three (3) contracts for the Offeror and three (3) contracts for each major subcontractor and/or teaming participant. This Part A of Attachment L-4 is limited to five (5) pages, but the Relevant Experience section is not excluded from the overall proposal page limitations. If a team had three members of the Offeror (in an LLC structure, for example), this would result in 45 pages (3 firms times 5 pages each times 3 contracts each) of Relevant Experience information, a disproportionate amount of the total 100 page proposal limit. We request that DOE exclude the Attachment L-4, Part A forms from the page limitations.	An Offeror wouldn't necessarily require five pages to cover their own relevant experience for each of the three contracts provided. Additionally, they wouldn't necessarily require five pages to cover the relevant experience for each of the three contracts provided for each of their major subcontractors and/or teaming partners. Offerors will have the flexibility to allocate pages to each of the evaluation factors within the page limitation of 100 pages.
20.	Section L	Section L.4(c), Factor 3 – Relevant Experience and Section L.4(d), Factor 4 – Past Performance request that three (3) Attachment L-4 contract summaries be included for each Offeror and major subcontractor and/or teaming partner. Are we correct in our interpretation that DOE does not want any Relevant Experience or Past Experience information for any team members that do not exceed an average annual funding	The definition for the term “major subcontractor” has been revised in Section L.2(b) via Amendment 001 to mean a proposed subcontractor with a proposed subcontract cost equal to \$10 million or more over the contract period at any tier of the proposed organization. Relevant Experience and Past Performance information shall be provided based on the revised definition.

No.	Final RFP Section	Industry Question/Comment	Government Response
		level of \$10M?	
21.	Section L	Section L. 4(a), Factor 1 – Technical Approach, references “the WBS provided as Attachment L-14.” There are no provided Section L attachments beyond Attachment L-11. Would DOE please provide the additional Attachments, and especially the referenced WBS, as quickly as possible as this drives multiple aspects of our proposal and cost estimate development.	Attachments L-12, Small Disadvantaged Business Participation Program Targets Form, and Attachment L-13, Performance Guarantee Agreement, are included towards the end of Section L. Attachment L-14, Work Breakdown Structure, is now available on the West Valley Phase 1 Decommissioning – Facility Disposition procurement web site.
22.	Section L	Section L.4(b)(1) includes language that pursuant to Clause H.16, the Offeror must be able to demonstrate that the General Manager has in place or has the ability to obtain an “L” security clearance within 90 days of award date, implying that the General Manager is the only one of the Key Personnel required to have/obtain an “L” clearance. Attachment L-1, Resume Format, however, states that “The General Manager must have an “L” security clearance at a minimum.” Please confirm that the Clause H.16 language takes precedence over the Attachment L-1 language and that it is permissible for the General Manager to obtain the “L” security clearance within 90 days of award date.	The language in Attachment L-1, Resume Format, has been revised via Amendment 001 to state that the General Manager must have a “L” security clearance or be able to obtain one within 90 days. The language in Section L.4(b)(1) has also been revised to state that, pursuant to Clause H.16, Personnel Security Clearances, an “L” security clearance is required for the proposed General Manager. The Offeror must demonstrate in the proposed General Manager’s resume that this individual either has an “L” security clearance or has the ability to obtain one within 90 days of the contract award date.
23.	Section 5.0	A paragraph regarding waste disposition has been added to Section 5.0, High Level Waste Canister Storage – CLIN 002. The paragraph, however, references TRU waste and seems to be out of place in the HLW discussion. Would DOE clarify why there is a reference to TRU waste in Section 5.0?	The reference is included so that <i>all</i> waste generated in the performance of the Section C.5.0 scope can be managed and accounted for accordingly. This requirement includes TRU waste. Contract Generated Waste must be accounted for in each of the appropriate WBS elements (“Waste Disposition”), see Section L. Attachment L-10 titled, Waste Quantities and Cost Worksheet.
24.	Section C.6.2 and C.7.0	Vitrification Facility Demolition and Removal – CLIN 003 Page C-27 and C-31 There appears to be a conflict between these two sections. Please clarify the scope of work regarding the piping used to convey HLW.  Section C.6.2 Scope section states “The Contractor shall dismantle and remove the Vitrification Facility to the floor slab and remove all lines in their entirety from the HLW	DOE requires the removal of lines in the HLW Transfer Trench from the Vitrification Facility up to Waste Tank Farm (WMA 1) boundary. The HLW Transfer Trench and lines it contains that still remain in the WTF, need to be isolated at the WTF (WMA 1) Boundary.

No.	Final RFP Section	Industry Question/Comment	Government Response
		<p>Transfer Trench up to the interface with the Waste Tank Farm.”</p> <p>Page C-31, Section C.7.0, Waste Tank Farm – CLIN 001, Scope section states “The Contractor shall isolate the piping used to convey high-level radioactive waste in the High-Level Waste Transfer Trench at the interface with WMA 1. The Off-Gas Trench piping shall also be isolated at the interface with WMA 1. The Contractor shall isolate all other lines located within the High Level Waste Transfer Trench, or that otherwise interface with WMA 1, at the interface with WMA 1. All isolated lines and the Trench shall be configured to prevent infiltration, accumulation, and migration of surface and subsurface water and contamination.”</p>	
25.	C.1.1.1.1, page C-4	Section C.11.1 of the WVDP ECS PWS includes “...routine site-wide environmental monitoring activities...including but not limited to air, surface water, groundwater, sediment, soil, direct exposure, and biota monitoring.” Please clarify which elements of the WVDP routine environmental monitoring program DOE intends to be performed by the ECS contractor vs. the Phase 1 Decommissioning – Facilities Disposition contractor.	<p>The ECS contractor will complete activities described in the Characterization Sampling and Analysis Plan (CSAP) and Phase 1 Final Status Survey Plan(FSSP).</p> <p>The Phase 1 Decommissioning-Facilities Disposition contractor will be responsible for the WVDP environmental monitoring program.</p>
26.	C.1.1.1.1, page C-4	Who does DOE intend to use as the operator of the ELAB? Please specify either the ECS contractor or the Phase 1 Decommissioning – Facilities Disposition contractor?	The Phase 1 Decommissioning-Facilities Disposition contractor.
27.	C.1.3.1 vs. H.18 C-11 and H-15	Section C.1.3.1 (page C-11) states that “Full implementation of the system (EVMS) shall be in place no later than 60 days after contract award.” The H.18 clause (page H-15, paragraph 2) states that “the contractor shall provide the CO with a detailed written EVMS description for review and approval within 60 days after award of this contract.” These two phrases are in conflict. Please confirm that the H.18 clause is the correct requirement.	The intent is for a system to be formally chosen and implemented by the end of the transition period. Whether the contractor decides to implement their own System Description or adopt the incumbents is a decision that will need to be made within the transition period. The SD will then be submitted to the CO. DOE does not believe there is a conflict.
28.	C.5.0 C-22	Provide a list of properties for each HLW canister (277) stored in the CPC. Specifically, we desire information on surface Rad levels and isotope sources when the canisters were placed in the CPC.	This information/documentation will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.



No.	Final RFP Section	Industry Question/Comment	Government Response
29.	C.5.0 C-22	The first paragraph indicates that an HLW Canister Interim Storage System project-specific DSA (Documented Safety Analysis) must be performed, and that DOE anticipates that both DOE and NRC will produce a Safety Evaluation Report. Will NRC be (a) performing an independent detailed evaluation or (b) reviewing and commenting on the DOE product. If NRC is planning to perform a detailed evaluation, please provide an estimate of the processing time through NRC.	The NRC will be performing an independent evaluation and Safety Evaluation Report. The NRC's evaluation time could take between 6-18 months dependent on the quality of the Contractor's application and innovation of the proposed system. It's presumed the greater the innovation the longer the NRC review.
30.	C.6.0 C-23	Section C.11.1 of the WVDP ECS PWS states that "Environmental data collection activities will be undertaken to support specific WVDP Phase I decommissioning activities at the site as specified in individual Task Orders." Examples provided include a variety of environmental characterization methods. Please clarify what, if any, environmental characterization services Phase 1 Decommissioning-Facilities Disposition contract offerors should include in their facility D&D activities. For example, should offerors assume that soil around and beneath a facility will be characterized by the ECS contractor? If so, would their services include preparation of the FSS reports?	Soil around and beneath a facility will be characterized by the ECS contractor to support activities described in the CSAP and FSSP.  The Phase 1 Decommissioning-Facilities Disposition contractor will not prepare FSS reports.
31.	C.6.0 C-23	Please clarify whether sampling and analysis for waste characterization and/or post-decontamination surveys within buildings will be performed under this contract or by the ECS contractor.	The Phase 1 Decommissioning-Facilities Disposition contractor
32.	C.6.0 C-23	Please clarify whether or not the deep excavations planned for WMA 1 and WMA 2 (as described in the Phase I Decommissioning Plan and the Final Status Survey Plan) are included in the contract scope.	The deep excavations planned for WMA 1 and WMA 2 (as described in the Phase I Decommissioning Plan and the Final Status Survey Plan) are <i>not</i> included in the contract scope.
33.	C.6.0 C-23	Please clarify whether or not the engineered hydraulic barriers, French drain, and groundwater controls planned for WMA 1 and WMA 2 (described in the Phase I Decommissioning Plan) are included in the contract scope.	The engineered hydraulic barriers, French drain, and groundwater controls planned for WMA 1 and WMA 2 (described in the Phase I Decommissioning Plan) are <i>not</i> included in the contract scope.
34.	C.6.6 C-28	Section C.6.6 (Balance of Site Facility Decommissioning) refers the Offeror to Attachment C-2 for the specific buildings and support facilities to be removed/demolished. However, Attachment C-2 does not specify which facilities	A column labeled "Applicable Performance Work Statement Section" has been added to the table in Attachment C-2 to indicate the primary section of the Performance Work Statement that applies to each respective facility.

No.	Final RFP Section	Industry Question/Comment	Government Response
		are covered in specific sections of the PWS. (For example, which facilities are currently grouped as part of the WPPD, and which facilities are covered as part of the Remote Handled Waste Facility?) Additionally, the only reference to “Balance of Site” in the Phase 1 Decommissioning Plan is in WMA-12, which is part of Phase 2 Decommissioning. Please add a column to Attachment C-2 to clarify which facilities are covered by the respective sections of the PWS.	
35.	L Att L-2 Pg. L-ii	Letter of Commitment commits the Key Person to working in the position identified “for a minimum of two (2) years from the date of award.” Section H.6 Key Personnel Replacement states the consequences for removal, replacement, or resigning, using the time frame “...within three (3) year of contract award, or within three (3) years of being placed in the position...” We request resolving the discrepancy by using the two (2) year commitment given in the Letter of Commitment which is the standard used throughout the DOE complex.	The Letter of Commitment has been revised to reflect a required commitment of three (3) years from the date of award via Amendment 001.
36.	L-4, page L-17	The RFP states that “The Offeror shall propose five (5) Key Personnel that they consider to be essential to the successful accomplishment of the PWS.” We understand that at a minimum the positions of General Manager, Deputy General Manager, and ESH&Q Manager are required. We request clarification whether it is DOE’s intention to cap the total number of Key Personnel to five positions only. We respectfully recommend that DOE does not cap the total number of Key Personnel and allow the Offeror discretionary judgment on the number required for successful PWS execution. We would appreciate DOE’s timely response to this question as it is fundamental to the development of our organizational approach.	The Key Personnel List identifying each individual by name and position is part of the Volume II, Technical Proposal. The Key Personnel List shall include the General Manager, Deputy General Manager, ESH&Q Manager, and a minimum of two other positions/individuals.
37.	C.6.1, page C-23	Please provide engineering drawings/details of canister load-in/load-out port and shield door. Specifically, we request information on load-in/load-out size, how far does the shield door slides, and other dimensional information for the facility. In addition, please provide drawings and engineering details for the load-in/load-out facility foundation and slab to support evaluation by team engineering staff	Drawings of the Main Plant Process Building MPPB drawings will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.

No.	Final RFP Section	Industry Question/Comment	Government Response
38.	C.6.1, page C-23	LI/LO Foundation/slab dwgs & details; we have plan and elevation drawings but need drawings and specifications that can be evaluated by engineering staff	Drawings of the Main Plant Process Building MPPB drawings will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
39.	C.6.1, page C-23	Are any master slave manipulators available in inventory at the West Valley site as part of GFE? Please specify number, type and condition of these pieces of equipment.	Information regarding the master slave manipulators will be available in the Property List. The Property List will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
40.	C.6.1, page C-23	Please provide existing radiation and contamination survey for the Equipment Decon Room	There will be no radiation or contamination survey equipment dedicated to the EDR at the beginning of this contract; see L-11.
41.	L, attach. L-5	Environment, Safety, Health, and Quality Assurance Past Performance (ESH&Q) Form – Please clarify that the offeror must complete an L-5 Form with ESH&Q data for each of the contracts for which Offerors are providing Attachment L-4 – Experience Past Performance Reference Information Forms, as opposed to providing company-wide ESH&Q data.	Only one L-5 Form shall be submitted per entity. The referenced language has been revised to state that each member of the Offeror's team shall provide a complete response to the Environment, Safety, Health and Quality (ESH&Q) Past Performance Indicators in Attachment L-5 for the <b><u>following periods: calendar year Year-to-Date (YTD), 2010, 2009, 2008 and 2007.</u></b>
42.	B.7; C.9.0	<p><b>Process, ship and dispose of all Legacy Waste off site – CLIN 006; C.9.0 Waste Management Page B-7, C-32 and C-33</b></p> <p>The Definition of Completion for CLIN 006 on page B-7 specifically addresses the processing, shipping and disposal of all Legacy Waste off site. CLIN 006 is also aligned with C.9.0, Waste Management and Nuclear Materials on pages C-32 and C-33 in the Performance Work Statement. The scope statement in C.9.0 includes storage of waste with no pathway for disposal and shipment of all waste to include both Legacy Waste and Contract Generated Waste. In addition, the scope of C.9.0 includes ongoing TRU storage activities that would preclude closure of CLIN 006. If CLIN 006 is complete when the Legacy Waste is disposed and the PBI fee is earned, how will fee be earned for the remaining C.9.0 scope?</p> <p>The scope statement in C.9.0, Waste Management and Nuclear Materials on pages C-32 and C-33 in the Performance Work Statement includes shipment and disposal of all Contract Generated Waste. Several other PWS</p>	The contractor needs to demonstrate that waste without a pathway for disposal (e.g. TRU per Section L-11) is safely and effectively stored onsite. This can be done by complying with the contract requirements, in particular the applicable Section J-1 and J-2 requirements such as laws, regulations and DOE Orders. Section C.9.0 is limited to only Legacy Waste however if any additional waste is generated as a result of completing this C.9.0 scope, it would also need to be appropriately dispositioned. Contract Generated Waste must be accounted for in each of the appropriate WBS elements ("Waste Disposition"), see Section L. Attachment L-10 titled, Waste Quantities and Cost Worksheet.

No.	Final RFP Section	Industry Question/Comment	Government Response
		elements have scope descriptions and WBS elements provided in Attachment L-14 for Waste Disposal which also must be reported by WBS in Attachment L-10. Please clarify if the shipment and disposal of the Contract Generated Waste is to be estimated in C.9.0 or the specific WBS elements where it is generated. If the estimate for shipment and disposal of Contract Generated Waste is to be captured in C.9.0, please clarify what should be captured in the WBS elements titled "Waste Disposition."	
43.	C.9.0	<b>Waste Management and Nuclear Materials Page C-32, C-33</b> Further clarification requested to determine contract starting point for wastes requiring formal determinations. Other than vitrification vessels, tank farm pump, and MPPB wastes, please provide all other waste streams with outstanding DOE 435.1 Waste Incidental to Reprocessing determinations. Please provide approved WIRs and associated NRC Technical Evaluation Reports.	To date no 435.1 waste determinations have been approved by DOE. A draft waste determination for the Vitrification Melter is undergoing final review / approval for public comment and will be available for review in the Federal Register (anticipated Nov. or Dec. 2010). A list of WVDP wastes that a 435.1 Waste Determination will likely be necessary can be found in Amendment 001, L-11
44.	C.9.0	<b>Waste Management and Nuclear Materials Page C-32, C-33</b> Please provide the definition of "Interim Endstate Contract Generated Waste" and any distinction this has on overall waste disposition as this is not included in Attachment C-1. Please provide the latest RH and CH TRU packaging instructions.	The term "Interim Endstate Contract waste" will be struck from the PWS via Amendment 001 since it is considered legacy waste. The quantities of the various types of legacy waste can be found in Section L-11.
45.	Attachment L-11	<b>Cost Assumptions/Information</b> Legacy Waste volumes are provided in Section L Attachment L-11. Please provide a detailed extract from the Integrated Waste Tracking System, including numbers of containers, container types, container sizes, waste types, and isotopes.	The Integrated Waste Tracking System November 2010 report is available on this WVDP procurement website in the Documents Library.
46.	Attachment C-2	<b>Facility Description and Status</b> What will be the Contract Starting Point regarding completion of ongoing Asbestos Abatement Activities?	The contract starting point for ACM is described in C-2 and for the Main Plant Process Building; this is defined in Section C.6.1 on page C-25 and in Section L-11.
47.	C.6.4	<b>Remote Handled Waste Facility (RHWF) – CLIN 004</b>	Authorization Basis documentation will be available as Export

No.	Final RFP Section	Industry Question/Comment	Government Response
		Please provide Authorization Basis documentation supporting operations of the RWHF.	Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
48.	L.4(c)	<p><b>Factor 3 – Relevant Experience</b></p> <p>The first paragraph of L.4(c) Factor 3 – Relevant Experience states that “The Offeror shall describe its relevant experience within the last five (5) years in performing work similar in size, scope, and complexity.” The last sentence of that section (3rd paragraph), describes the requirement of Part A of Attachment L-4, “the contracts referenced for each entity shall be the same contracts for which Past Performance information is provided for Factor 4 below.”</p> <p>Please clarify that the relevant experience requirement in the first paragraph is a separate requirement and does not restrict the offeror to can the same 3 contracts as described in the second and third paragraphs</p>	Offerors shall use the same contracts for Factor 3, Relevant Experience, and Factor 4, Past Performance.
49.	L.5	<p><b>Cost and Fee Proposal</b></p> <p><b>Page L-35</b></p> <p>Section L.5, page L-35, subsection (u) states the Offeror shall not propose any Government Furnished Property (GFP) for use during the performance of this contract that is in addition to the list of GFP provided in Section J Attachment titled, Government Furnished Property. Please provide this attachment as it was not provided in Section J.</p>	The Property List will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
50.	C.1.3	<p><b>Business Administration</b></p> <ul style="list-style-type: none"> <li>a) Is WVES’s Accounting System “adequate” as audited by DCAA?</li> <li>b) What Accounting System is being used at WVES? (Name of the software package)</li> <li>c) Does WVES have a DOE approved Records Management Plan?</li> <li>d) Does WVES have a DOE approved Records Disposition Plan?</li> <li>e) Does WVES have a DOE approved Property Information Data System?</li> <li>f) What are the various components of WVES’s</li> </ul>	<ul style="list-style-type: none"> <li>a) yes</li> <li>b) Costpoint &amp; Deltek (time reporting)</li> <li>c) Yes</li> <li>d) Yes</li> <li>e) Yes</li> <li>f) All items listed are components including all other requirements in 413.3A and the ANSI Guidelines</li> <li>g) Primavera 6.0 Version 6.2.1 &amp; Prism Version 5.1 Build 276</li> </ul>

No.	Final RFP Section	Industry Question/Comment	Government Response
		EVMS system? (ie. Baseline reporting, estimating, scheduling, change control, etc.) g) What is/are the name(s) of the software packages used in the current EVMS system?	
51.		Please provide any available drawings for facilities identified in the scope of the contract.	DOE will provide make drawings for facilities available as Export Controlled Information (ECI). A list of the available drawings and instructions for requesting ECI will be posted on this web site.
52.	L.4(d)(4)	The RFP states that the offeror is required to "...submit its environment, safety, and health past performance information for the year to-date and the past five years, on all public and private contracts, ... <b>One Attachment L-5</b> shall be submitted for the Offeror as well as for each major subcontractor and each member of joint ventures..." The Attachment L-5 form language states that "Each member of Offeror's team shall provide a complete response to the following Environment, Safety, Health and Quality Assurance Past Performance Form for <b>each of the three contracts...</b> " Please confirm our interpretation that DOE expects only one L-5 Form per company as described in Section L.4(d)(4), to be submitted as company data, not project-specific data.	Only one L-5 Form shall be submitted per entity. The referenced language has been revised to state that each member of the Offeror's team shall provide a complete response to the Environment, Safety, Health and Quality (ESH&Q) Past Performance Indicators in Attachment L-5 for the <b><u>following periods: calendar year Year-to-Date (YTD), 2010, 2009, 2008 and 2007.</u></b>
53.	K.8	The RFP states that "If the offeror has an approved facility clearance, the offeror should identify (1) its DOE Facility Code (or DOD CAGE Code, if applicable), (2) the date the offeror's completed Standard Form 328 was submitted, and (3) the date of the CO's affirmative FOCI determination. Under the DOE FOCI ESS electronic signatures cannot be accepted; thus, a signed SF-328 original, executed in accordance with the form's instructions..." In Section L.18, the RFP states that "Offerors who have either a Department of Defense or a Department of Energy Facility Clearance generally need not resubmit the following foreign ownership information unless specifically requested to do so. Instead, provide your DOE Facility Clearance code or your DOD assigned commercial and government entity (CAGE) code. If uncertain, consult the office which issued	Offerors that already have an approved facility clearance shall provide their DOE Facility Code or DOE Cage Code. The Standard Form 328 with original signatures will only be required for new entities or entities that do not already have an approved facility clearance.

No.	Final RFP Section	Industry Question/Comment	Government Response
		<p>this solicitation.”</p> <p>Generating a new SF 328 with original signatures would not be required according to the Section L.18 instructions. Please clarify whether simply providing the offeror’s DOE Facility Code or DoD CAGE Code is sufficient to address the requirement of Section K.8, eliminating the need for a new, original SF 328.</p>	
54.	K.1(a)(1)	<p>...lists the NAICS code for this acquisition as 962910. This appears to be a non-existent NAICS code. Is the correct code 562910, the 500-employee standard for Environmental Remediation?</p>	<p>This has been revised via Amendment 001.</p>
55.	General	<p>Would DOE provide a complete list of all current subcontractors to WVES at the site and their respective subcontract scopes so that we may determine what subcontract scopes might be available for novation versus those scopes for which we will need to conduct competitive procurements?</p>	<p>A list of the current WVES subcontractors will be posted in the Documents Library of the West Valley Phase 1 Decommissioning – Facility Disposition web site under “West Valley Environmental Services Contract General Information.”</p>
56.		<p>Would DOE please provide a current listing of all Government-Furnished Equipment (GFE)?</p>	<p>The Property List will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.</p>
57.		<p>The Draft RFP language included a Clause B.5(b) which stated “The fee restriction in paragraph (a) does not apply to members of the contractor’s team that are: (1) small business(es); (2) protégé firms as part of an approved Mentor-Protégé relationship . . . .” In the Final RFP, this clause has been removed and, as currently written, would require that small business subcontractors named as part of the offeror’s team share in the contract fee pool. The removal of this clause is likely to have a chilling effect on the ability of small businesses to become named members of offeror’s teams. It has been a long-standing practice for DOE to exempt small businesses and protégés from the provisions of this clause in an effort to encourage offeror’s to provide meaningful involvement opportunities to small business firms. Its removal in this Final RFP seems to be counter to the stated emphasis elsewhere in the RFP on SB</p>	<p>As requested, the original Allowability of Subcontractor Fee clause that was in the Draft Request for Proposals issued on August 30, 2010, has been reinstated via Amendment 001.</p>

No.	Final RFP Section	Industry Question/Comment	Government Response
		involvement, establishment of Mentor-Protégé agreements, and ensuring meaningful involvement of SB in the execution of the PWS. We respectfully ask that DOE reinstate the SB exemption language in this clause.	
58.	Resubmittal of previous comments/questions	The RFP discusses a \$5M pension figure. It is unclear as to whether the \$5M amount is expected to cover both existing incumbent pension plan funds and all legacy plans. Besides pricing the proposal with the \$5M provided number, bidders must also adequately assess their potential corporate liabilities and risks. Additional information relating to the existing and legacy pension plans, including appropriate actuarial data, is requested to be posted on the acquisition website to support these assessments.	The \$5 million pension figure in DOE Provided Costs is expected to cover both existing incumbent pension plan funds and all legacy plans.
59.	Resubmittal of previous comments/questions	In Section B.2, Definition of Completion for CLIN 002, Item (e) discusses obtaining NRC Certificate of Compliance for shipping the HLW. Without a definitive set of standards for acceptance at the repository, obtaining a certificate of compliance to ship HLW canisters poses a challenge. This does not present a barrier to participation. However, it does highlight the potential difficulty in getting a “new” storage package certified for shipment. We suggest the modification of the Completion Document List by one of the following methods: <ul style="list-style-type: none"> <li>to remove the requirement for obtaining the Certificate of Compliance</li> <li>to modify the requirement and invoke the preliminary Transportation, Aging, and Disposal requirements</li> </ul>	Section C.5.0 states “The canister storage design shall use any dry cask system similar to technology <i>currently used</i> (emphasis added) to store Spent Nuclear Fuel from operating electric generating utilities in dry-cask systems”. It would appear that a “new” storage package would not meet this requirement.
60.	Resubmittal of previous comments/questions  Section C	The PWS contains the following references: <ul style="list-style-type: none"> <li>C.1.1.1.1 – Environment (2<sup>nd</sup> paragraph): “The contractor shall implement executive orders, environmental regulations, environmental management policy directives and applicable procedures as listed... <b>Superfund Amendment and</b></li> </ul>	The Final RFP is <i>not</i> a Response Action Contract under the Superfund Act.



No.	Final RFP Section	Industry Question/Comment	Government Response
		<p><b>Reauthorization Act...</b></p> <ul style="list-style-type: none"> <li>• C.1.1.1.1.B – Environmental Permitting: “The <b>Contractor shall develop and prepare all regulatory documents</b> necessary for all WVDP disposition ....”</li> <li>• C.9.0- Scope: “The <b>Contractor is solely responsible</b> for the characterization, processing, and packaging of all wastes currently in storage or on site and all waste generated ....”</li> </ul> <p>Based on the bolded language, the scope of the work makes the contractor responsible for waste management, environmental documentation management for the WVDP site, and implementation of the Superfund Amendment and Reauthorization Act. However, the contract is not mentioned as a response action contract (RAC). The lack of identification as a RAC does not present a barrier to competition, but limited immunity under the Superfund Act is only applicable to a RAC. We request the Final RFP state or confirm that the contract is a Response Action Contract under the Superfund Act.</p>	
61.	Resubmittal of previous comments/ questions  Section C	In Attachment C-2, we request that information be provided on the status of remote handling cranes and any other HLW handling equipment. While this list of facility conditions provides some needed information, it is incomplete to be able to fully understand total site conditions. Request that DOE provide the existing FIMS database in its entirety to ensure access to all relevant site and facility condition.	Offerors shall assume that the starting condition of all equipment (e.g. cranes) is operable unless otherwise noted in the Request for Proposals. The WVDP facilities are not entered in FIMS since it is not a federally owned facility.
62.	B.9(a)	<b>Transition Activities (page B10):</b> states “During the transition period, as specified in the clause in Section F entitled “Period of Performance,” the Contractor shall perform those activities that are necessary to transition work from the incumbent contractor in a manner that (1) assures that all work for which the Contractor is responsible under the contract is continued without disruption; (2) provides for an orderly transfer of resources, responsibilities, and accountability from the incumbent contractor; and (3)	Section L.5(m)(ii) has been revised via Amendment 001 to state that the Government will provide logistical support (office space, computers, telephone, etc.) to the Contractor during the transition period.

No.	Final RFP Section	Industry Question/Comment	Government Response
	Section L.5(m)(ii),	<p>provides for the ability of the Contractor to perform the work in an efficient, effective, and safe manner. The Contractor is responsible for providing all necessary personnel during the transition period, unless specifically directed otherwise by the Contracting Officer. The Government will provide logistical support (office space, computers, telephone, etc.) to the Contractor during the transition period. The office space provided will be at the Ashford Office Complex located at 9030 US Route 219, West Valley, NY 14171.</p> <p><b>Proposal Preparation Instructions – Volume III: Cost And Fee Proposal; (m) Contract Transition Cost (pages L-32 and L-33):</b> states “The Offeror shall provide a contract transition cost estimate that is of sufficient detail to allow for evaluation of the reasonableness and cost realism of the proposed effort. The information submitted may be in the Offeror’s preferred format but shall address the cost of the contract transition period by major transition activity. Proposed costs shall be broken down by the following major cost elements: direct labor (including labor categories, and labor hours and labor rates in each category), indirect cost allocations (by pool type and rate), relocation, travel, materials, supplies, subcontracts, and all other cost elements related to the period of transition. For proposal preparation purposes, the Offerors shall assume no facilities or equipment are available at the time of contract transition.”</p> <p>Will the government be providing logistical support (office space, computers, telephone, etc.) for the Contractor during transition?</p>	
63.	Section F	<p><b>Deliveries or Performance:</b> The RFP cover letter (DOE letter EMCBC-00076-11 dated October 13, 2010) provides that the FAR 52.242-15, Stop-work Order (Aug 1989) Alternate I (Apr 1984) clause has been added in Section F. A review of the affected section shows that it has not been added. Will DOE add the clause to be consistent with the statement in the DOE cover letter?</p> <p>Note: The Section F posted on the Fed Connect website does contain the clause -- F.3, FAR 52.242-15, Stop-work Order (Aug 1989) Alternate I (Apr 1984).</p>	This clause will be incorporate into the Section F of the Request for Proposals via Amendment 001.
64.	Section H.18	<b>Semiannual Critical Analysis (SACA) (page H-18):</b> states	This requirement will be eliminated in H.18 via Amendment 001

No.	Final RFP Section	Industry Question/Comment	Government Response
	C.2,	that contractors shall submit semiannual comprehensive reports. However, Section J-3 does not list any such report. Will the Government add this report to the Section J deliverables list? If not, does the H.18 requirement still exist?	to the RFP.
65.	Section K.1(a)(1) (page K-1)	States the NAICS code for this acquisition is 962910. Is the NAICS code supposed to be 562910?	This has been revised via Amendment 001.
66.	Section L.4(c), Factor 3	<b>Relevant Experience (page L-21):</b> states “The Offeror shall describe its relevant experience within the last five (5) years in performing work similar in size, scope, and complexity ...” What date does the 5-year limit apply to—the RFP issue date, the proposal due date, or some other date?	The 5-year limit applies to the due date for receipt of proposals.
67.	Section L, Attachment L-14,	<b>Work Breakdown Structure:</b> 6.6 Balance of site Facility (BOSF) Decommissioning 6.6.1 Characterize, Deactivate/Remove, and Decontaminate 6.6.2 Prepare Demolition/Removal Plan 6.6.3 BOSF Demolition/Removal 6.6.4 Waste Disposition 6.8 Low-Level Radiological Waste Treatment System (LLRWTS) Operations 6.8.1 Operation and Maintenance of the LLRWTS 6.8.2 Waste Disposition 7.0 Waste Tank Farm 7.1 Operate, Inspect, Maintain, and Repair Systems 7.2 Surface/Groundwater Infiltration and Migration Control 7.3 Characterization 7.4 Waste Disposition 8.0 NRC Licensed disposal Area (NDA) 8.1 NDA Inspection, Monitoring, and Maintenance 8.2 Removal of Liquid Pretreatment System and Foundation 8.3 Installation of NDA Cover 8.4 Waste Disposition 9.0 Waste Management and Nuclear Materials 10.0 Safeguards and Security 10.1 Physical Protection 10.2 Information Security	Consider WBS 6.0, 7.0, 8.0, 9.0, 10.0, etc. to be level 1 for proposal purposes, as the number is in accordance with the PWS in Section C. 10.1, 10.2, 10.3, etc, would then be considered level 2, and so on.

No.	Final RFP Section	Industry Question/Comment	Government Response
		10.3 Program Management  Should 7.1 through 7.4, 8.1 through 8.4, and 10.1 through 10.3 be at Level 3 or at Level 2 as shown?	
68.	Section L.35	<b>Site Visit (page L-49):</b> states “Photography/video will be permitted during site visits.” However, information posted on the DOE EMCBC procurement website for the Site Tour states electronic recording devices, cameras are prohibited, as stated below: III. SECURITY ISSUES Other items not allowed on the tour are copying devices, electronic recording devices, cameras, radios, cellular telephones, and blackberries (an emergency number will be available). Contraband brought on the site will be confiscated. Will attendees be allowed to bring photography/video equipment for use during the site visit?	Section L.35 of the Request for Proposals has been revised via Amendment 001. Photography/video will not be permitted during the site visits.
69.	Section L.35	<b>Site Visit (page L-49):</b> states “All interested companies must submit a request that includes company name, company DUNS code, name of individual, title of individual, citizenship and phone number no later than 4:00 P.M., October 27, 2010.” However, information posted on the DOE EMCBC procurement website states that, “All tour requests must be provided to Lynn Chafin at lynette.chafin@emcbc.doe.gov by 5:00 p.m. Eastern Time on Monday, November 1, 2010.” What is the deadline for submitting names of our attendees for the site tour?	Section L.35 of the Request for Proposals has been revised via Amendment 001 to state that tour requests must be submitted by 5:00 p.m. Eastern Time on Monday, November 1, 2010.
70.	Section L	<b>Attachment L-5:</b> ESH&Q past performance data are to be provided in the Attachment L-5 form. Does the information to be provided by each member of Offeror’s team apply to “... all public and private contracts ...” as stated in Section L.4(d)(3) or does it apply only to the three selected contracts per the instructions at the top of the Attachment L-5 form?	Only one L-5 Form shall be submitted per entity. The referenced language has been revised to state that each member of the Offeror’s team shall provide a complete response to the Environment, Safety, Health and Quality (ESH&Q) Past Performance Indicators in Attachment L-5 for the <b><u>following periods: calendar year Year-to-Date (YTD), 2010, 2009, 2008 and 2007.</u></b>
71.		<b>General Question:</b> In order to manage costs resulting from risks that are realized during contract execution, DOE contracts often provide for contingency funds (sometimes	Neither contingency nor management reserve should be priced into the Offeror’s price proposal as a separate element of cost. Per FAR 31.205-7, contingency for future cost estimates falls into

No.	Final RFP Section	Industry Question/Comment	Government Response
		<p>referred to as management reserve). While normally not included in the RFP cost estimate (Volume III), this provision is generally mentioned within change control and a funding pool is negotiated once the contract has been awarded.</p> <p>Does DOE intend to use contingency to handle risks? If not, how should potential risk costs be forecasted/managed?</p>	<p>two categories. First are those contingencies that may arise from presently known and existing conditions, the effects of which are foreseeable within reasonable limits of accuracy; e.g., anticipated costs of rejects and defective work. Contingencies of this category are to be considered by Offerors in the estimates of future costs so as to provide the best estimate of performance cost. Second are those contingencies that may arise from presently known or unknown conditions, the effect of which cannot be measured so precisely as to provide equitable results to the Contractor and to the Government; e.g., results of pending litigation. Contingencies of this category shall not to be considered by Offerors in the development of their cost estimates. This topic is also addressed in the DOE 413 series of directives. As defined in DOE Order 413.3B, management reserve is an amount of the total contract budget withheld for management control purposes by the Contractor. Management reserve is not part of the Performance Measurement Baseline, but is rather a project management tool. As such, management reserve is calculated by the Contractor after the Government and the Contractor have agreed to the contract price to facilitate project management discipline. Per DOE Order 413.3, contingency is a federally held amount used only by the Government to ensure adequate funding for requests for equitable adjustments with entitlement, changes under all contracts, and contractor overruns on cost reimbursement contracts. Accordingly, contingency described under FAR 31.205-7(c)(2) should not be included in the Offeror's price proposal, as this type of contingency is held only by DOE.</p>
72.	Attachment C-2, page C-70	Under Facility <i>Road-Salt and Sand Storage Shed</i> , Facility Construction, it states that the storage bin sits on 51" of blacktop. Can you please confirm this or provide the correct value if the 51" is in error?	The facility construction information for the Road Salt and Sand Storage Shed in Attachment C-2 has been corrected to read: "20' x 22' Pole building with 2" x 8" boards around the perimeter; contains storage bin and sand stall; on 5" blacktop on 10" stone underlay. Wooden roof."
73.	Section L.2(b)	Defines "major subcontractor" as a proposed subcontractor with a proposed average annual subcontract cost equal to \$10 Million or more and says that this definition applies for any reference in Section L. In section L.5(i), reference is made to requirements for subcontractors greater than \$10 Million in total (Section L.5(i)(iii), L.5(i)(vii)). Are references to	The definition for the term "major subcontractor" has been revised in Section L.2(b) via Amendment 001 to mean a proposed subcontractor with a proposed subcontract cost equal to \$10 million or more over the contract period at any tier of the proposed organization.

No.	Final RFP Section	Industry Question/Comment	Government Response
		subcontractors greater than \$10 Million in these sub-clauses meant to be references to major subcontractors and thus subject to the \$10 Million annual average, or is the threshold for these requirements \$10 Million in total?	
74.	Clause H.8	Defines penalties for Key Personnel removal with three (3) years of contract award. Attachment L-2, Letter of Commitment, requires a commitment of only two (2) years from date of award. Are we correct in assuming that the Clause H.8 has precedence in this case and that commitments should be for three (3) years? If yes, is it acceptable for us to modify Attachment L-2 accordingly or will DOE reissue Attachment L-2 with the correction?	The Letter of Commitment has been revised to reflect a required commitment of three (3) years from the date of award via Amendment 001.
75.	Page C-10, Section C.1.2	This requirement specifies that "Professional Engineers within the State of New York shall be required for all structural engineering assessments and projects wherein the safeguarding of life, health and property is concerned." Is this requirement limited to structural engineering? If not, what specific projects require New York State licensed PEs? Please clarify.	The requirement is limited to structural engineering unless the Contractor determines further regulatory or legal requirements must be met.
76.	Pages C-39 to C-83, Section C, Attachment C-2	Facility Description and Status The alignment of the list of facilities to the WBS is not obvious. To maintain consistency and avoid ambiguity, will DOE consider providing the appropriate WBS elements in the attachment?	A column labeled "Applicable Performance Work Statement Section" has been added to the table in Attachment C-2 to indicate the primary section of the Performance Work Statement that applies to each respective facility.
77.	Page C-82, Section C, Attachment C-2	The last item in this table states of the following: "All ancillary support structures, storage facilities, laydown and hardstand areas, speed spaces, sheds, utility stations, etc. not specifically mentioned in Attachments C-2 or C-3." It is impossible to ensure that all scope has been captured without additional information. Will DOE consider either deleting this item, or providing the details required to adequately address this scope?	Offerors shall not provide additional costs for purposes of their proposals for any ancillary support structures, storage facilities, laydown and hardstand areas, speed spaces, sheds, utility stations, etc. that are not specifically mentioned in Attachments C-2 or C-3.
78.	Page L-29, Section L.5(i)(viii)	Section L.5(i)(viii) requires that waste quantities be developed at the lowest level of the WBS, which in turn requires developing waste quantities by facility. The reference material provided on the internet (EIS,	Drawings of the Main Plant Process Building MPPB drawings will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.

No.	Final RFP Section	Industry Question/Comment	Government Response
		Decommissioning Plan, etc.) identifies waste quantities by Waste Management Area (WMA), however it is not apparent that waste quantities are available by facility. Please provide either (1) the data by facility (that equals the provided WMA values) or (2) the facility drawings necessary to quantify the waste.	
79.	Section - RFP Cover Letter	DOE's 10/13/10 RFP cover letter states "[FAR] clause 52.242-15, Stop-Work Order, in its Alternate I has been added" to Section F. It appears, however, that this FAR has not yet been included in Section F (note: FAR 52.242-15 is also referenced in H.7(f)). Please amend Section F or I to incorporate this FAR clause.	This clause will be incorporate into the Section F of the Request for Proposals via Amendment 001.
80.	Pages H-4 and L-17, Sections H.8 and L.4(b)(1)	H.8 requires three (3) Key Personnel to be proposed, but Section L.4(b)(1) requires five (5) Key Personnel. Please clarify.	The Key Personnel List identifying each individual by name and position is part of the Volume II, Technical Proposal. The Key Personnel List shall include the General Manager, Deputy General Manager, ESH&Q Manager, and a minimum of two other positions/individuals.
81.	Page B-9, Section B.5	As amended from the draft RFP, section B.5 now does not affirmatively state that fee for small businesses, protégé firms or fixed price subcontracts are allowable costs. We do not consider these businesses and other types of competitively awarded subcontracts to be "team members" and therefore their subcontractor fee would still be an allowable cost under the contract. Please reinstate the appropriate language from Section B.5(b) of the draft RFP making these costs allowable.	As requested, the original Allowability of Subcontractor Fee clause that was in the Draft Request for Proposals issued on August 30, 2010, has been reinstated via Amendment 001.
82.	Pages B-9 and H-30, Sections B.5 and H.42	Regarding B.5 and H.42 (Mentor- Protégé), please include the statement that protégé's fee or profit will be an allowable cost. Requiring prime contractors to mentor a protégé per H.42 and then pay the protégé's fee out of the prime's award fee will not encourage the robust use of the protégé in performing scopes of work and could diminish the usefulness of the mentor- protégé relationship for both parties.	As requested, the original Allowability of Subcontractor Fee clause that was in the Draft Request for Proposals issued on August 30, 2010, has been reinstated via Amendment 001.
83.	Page E-1, Section E.1(d)(2)	Please amend E.1(d)(2) as follows: "Acceptance of construction work shall be final and conclusive except [add: as provided for in FAR 52.246-3 and 52.246-5] <i>[delete: for</i>	The Government has determined that the language contained in Clause E.1 is necessary to protect its interests. Therefore, this language will not be revised.

No.	Final RFP Section	Industry Question/Comment	Government Response
		<i>latent defects, fraud, gross mistakes amounting to fraud,] or the Government's rights under any warranty or guarantee. FAR 52.246-3 and 52.246-5, as already incorporated in Section E, address the issues of acceptance, re-performance and fraud (see FAR 52.246-3(h)(1); see also E.4 stating these FAR clauses apply). Also, the concept of latent defects is only applicable to supplies and in the context of fixed price contracts as stated in FAR 52.246-2(k) — this is not a fixed price contract and 52.246-2 is not part of Section I. Please note also that in this Cost-Plus-Award-Fee contract, contractors are entitled to be paid cost (but not additional fee) to re-perform non-conforming work per 52.246-3(f) and 52.246-5(d), which includes construction.</i>	
84.	Unnumbered page - follows J-46, Section J, Att. J-10, Supplement	In Attachment J-10, please provide the SUPPLEMENT (PENSION AND INSURANCE AGREEMENT) referenced in the WVES-IAMAW Collective Bargaining Agreement in the Table of Contents. This document is currently missing from Section J-10.	Section J, Attachment J-10, will be revised to incorporate the pension and insurance agreement referenced in the collective bargaining agreement.
85.	Unnumbered page - follows J-46, Section J, Att. J-10, Supplement	Please provide the incumbent contractor's Actuarial Valuations Reports or other pension information (e.g., IRS 5500 forms with Schedules, Employee Benefits Value study(s), Employee Benefits Cost Survey Comparison(s), current and/or forecast liabilities or under-funded amounts (estimates) of the plans, number of plan participants, etc.) regarding the Westinghouse Government Service Group West Valley Pension Plan. This information is critical for contractors to understand and plan for under-funded pension plans and long term potential liabilities as plan sponsor.	The information being requested is confidential and is not releasable. The \$5 million pension figure in DOE Provided Costs in Provision L.5 is expected to cover all expected pension contributions for both incumbent and legacy employees. However, this amount is not expected to cover pension administration costs such as the cost of the HR and finance personnel needed to handle any pension administration matters. These costs would likely be captured by Offerors as project support service costs.
86.	Unnumbered page - follows J-46, Section J, Att. J-10, Supplement	Is the Westinghouse Government Service Group West Valley Pension Plan a multi-employer plan? Does the International Association of Machinists and Aerospace Workers Lodge 2401 contribute to this Pension Plan?	The West Valley Pension Plan is a single-employer plan, and the IAMAW employees are covered under the pension plan.
87.	Pages B-8 and I-3,	In B.4 and Section I, please replace FAR 52.232-22 (Limitation of Funds) with DEAR 970.5232-4 (Obligation of	The Government has determined that inclusion of FAR 52.232-22 in the Request for Proposals and in the contract is necessary to



No.	Final RFP Section	Industry Question/Comment	Government Response
	Sections B.4 and I.73	Funds), as this is a DOE contract.	protect its interests. Therefore, this clause will not be removed.
88.	Pages I-3 and I-5, Section I.68, I.121 and H-23	Ambiguity exists in Section I with the inclusion of both DEAR 952.231-71 (Insurance - Litigation and Claims) and FAR 52.228-7 (Insurance - Liability to Third Persons)). There is no indication as to which clause would apply to the various scopes of work and performance situations. Therefore, please delete FAR 52.228-7 (including the reference in H.26), as this is a DOE contract and DEAR 952.231-71 is required to be included in this cost-reimbursable contract per DEAR 931.205-19.	The Government has determined that inclusion of FAR 52.228-7 in the Request for Proposals and in the contract is necessary to protect its interests. Therefore, this clause will not be removed.
89.	Pages H-4, L-ii, Sections H.8 and L, Att. L-2, Letter of Commitment	Section H.8 indicates that \$500,000 and \$250,000 penalties apply for the replacement of key personnel within three (3) years of contract award or being placed in a position, while the key personnel letter of commitment, Attachment L-2, was changed from the draft RFP and now specifies a 2-year commitment. We assume that Section H.2 should also specify a 2-year commitment and request that it be modified to conform to Section L.	The Letter of Commitment has been revised to reflect a required commitment of three (3) years from the date of award via Amendment 001.
90.	Pages C-2; C-5, Sections Contract overview and C.1.1.1.1	Contract overview, second paragraph — PWS states that Other DOE contractors include the WVDP Environmental Characterization Support Services Contractor that provides soil, sediment, and groundwater characterization, environmental monitoring, and associated regulatory documentation supporting decommissioning..... C.1.1.1.1; 3rd (last) para — PWS states that Contractor's environmental permitting program shall include: environmental monitoring program, groundwater monitoring program.... C.1.1.1.1 Environmental Compliance and Reporting; Items A, B, C, D, E — all discuss preparation of regulatory documents.  Please clarify the SOW responsibilities of the Phase 1 contractor and those of the ECSS contractor.	The WVDP Environmental Characterization Support Services Contractor will provide soil, sediment, and groundwater characterization services in support of investigations and post-remediation activities. The Phase 1 Contractor will implement the WVDP Environmental Management System in support of O&M and decommissioning activities.
91.	Page L-9, Section L.2(i)	This section permits the use of Arial font for graphs, tables, and spreadsheets. Would DOE allow the use of 10 point Arial Narrow for graphs, tables, spreadsheets, diagrams, and	Offerors shall use only Arial or Times New Roman font. Arial Narrow shall not be used.

No.	Final RFP Section	Industry Question/Comment	Government Response
		similar graphics, as this is within the Arial family, and as 10 point Arial is quite large within small graphics?	
92.	Pages C-33/C-34, section C.10	Will DOE provide the number of personnel by job title (consistent with the incumbent average labor rate reference document job titles) that have active clearances as well as the clearance level? In addition, will DOE provide the same clearance information for existing subcontractor staff (including the physical security services subcontractor) to the incumbent contractor?	Offerors shall meet the security clearance requirements specified in Clause H.16 of the Request for Proposals entitled "Personnel Security Clearances" and Section C.10.1 entitled "Physical Protection." The requested information will not be provided.
93.	Page B-9, Section B.5	As currently written, Section B.5 does not state that fee for small businesses or protege firms are reimbursable costs. In order to encourage teaming with small businesses that will perform scope within specialized, defined scope areas (not teaming partners in the broader operation of the site) we request that subcontractor fees for these businesses be considered an allowable cost under the contract.	As requested, the original Allowability of Subcontractor Fee clause that was in the Draft Request for Proposals issued on August 30, 2010, has been reinstated via Amendment 001.
94.	RFP Section C.1.4	<b>Process, ship and dispose of all Legacy Waste off site – CLIN 006; C.9.0 Waste Management Page C-18</b> In Section C.14 Support to Other DOE Contractors, please clarify the current interface with WIPP (CBFO) and the Central Characterization Project (CCP) with respect to TRU waste characterization services. Will the Contractor be required to solicit technical assist services separately with the CCP or should this be treated as a Government Furnished Service? Has CCP approved AK, visual examination, radioassay data compiled to date for TRU waste inventories cited in Attachment L-11. Please specify which inventories have CPP-approved data.	Attachment L-11 states "It is also assumed that there is currently no disposal path for transuranic (TRU) waste, as the West Valley Demonstration Project (WVDP) TRU waste has not received a defense determination and is not currently eligible for shipment to the Waste Isolation Pilot Plant (WIPP)". Therefore the WIPP (CBFO) and its contractors (e.g. CCP) have not provided technical assistance to the WVDP such as approving AK or data.
95.	Attachment C-2	<b>Miscellaneous Facilities Page C-82</b> Table C-2 list "Miscellaneous Facilities and Storage Area" – please provide details on what exactly this includes, so this area can be estimated accordingly.	Offerors shall not provide additional costs for purposes of their proposals for any ancillary support structures, storage facilities, laydown and hardstand areas, speed spaces, sheds, utility stations, etc. that are not specifically mentioned in Attachments C-2 or C-3.
96.	General	Please provide a list of current subcontracts to include company name, scope of services provided, period of performance and annual contract value.	A list of the current WVES subcontractors will be posted in the Documents Library of the West Valley Phase 1 Decommissioning – Facility Disposition web site under "West Valley

No.	Final RFP Section	Industry Question/Comment	Government Response
			Environmental Services Contract General Information.”
97.		Our team has formed a single-purpose LLC for bidding this project and, according to the Section L instructions, will submit Section K Representations and Certifications for the new entity as well as for the parent companies. Our question is whether a full FOCI application is necessary for the new entity. The parent companies have positive FOCI determinations and possess DOE Facility Codes and/or CAGE codes. In this situation, is it necessary to begin the FOCI application and determination process for the new entity, or can we simply provide the information for the parent companies?	The FOCI information pertaining to the parent companies shall be provided. However, the new entity would need to begin the FOCI application and determination process.
98.	Section L.4(c)	Appears to have conflicting language relative to the format of the section. At the end of the second full paragraph, the RFP language states “In addition, the Offeror shall describe any experience that they have had working with their teaming participants in performing work similar in size, scope and complexity to the work in the PWS.” This instruction (and others in the first paragraph) would seem to address broader requirements than would normally be included in the Attachment L-4 form. In the last paragraph, however, the RFP states “DOE does not want and will not evaluate a summary section highlighting relevant experience that is submitted in addition to Attachment L-4.” This instruction would seem to indicate that there should be nothing but L-4 forms in our response to Factor 3. Are we correct in our interpretation that no information can be provided in response to Factor 3 that is not contained within Attachment L-4 discussions?	Attachment L-4 is revised under Part A, Item 12, Description of Services, to state that the Offeror shall provide the information requested in Provision L.4, Section (c), Factor 3 – Relevant Experience, for the Offeror, each joint venture partner, LLC member and all major subcontractors.
99.	Cover Letter	The cover letter identifies an opportunity to increase fee as a reward for outperforming small business goals, but does not explain how this additional fee relates to the fee model described in section L. Is the additional fee for exceeding small business goals over and above the 10% cap, or is this additional fee combined subject to the 10% fee cap?	The cover letter for the Draft Request for Proposals that was issued on August 30, 2010, referenced FAR 52.219-10, Incentive Subcontracting Program and that the Contractor could potentially increase their fee by exceeding their small business subcontracting goals. However, the cover letter for the Final Request for Proposals issued on October 13, 2010, states that FAR 52.219-10, Incentive Subcontracting Program, has been deleted from the Request for Proposals. Therefore, this clause is

No.	Final RFP Section	Industry Question/Comment	Government Response
			no longer applicable to this solicitation.
100.	B.9 B-10	Due to the possibility of a protest period following contract award and the need for a 60-day transition period, many of the documents that are listed as being delivered after contract award cannot actually be delivered until after the awardee has actually been given "notice to proceed." We recommend that DOE revises the start date for deliverables from "after award," "after contract award," or "after award of the contract" to " <i>after notice to proceed.</i> "	The Contractor will be expected to start the transition period on the contract award date.
101.	C.1.3.3 C-11	Real and Personal Property Management. The property management requirements conflict between Section C, Section I, and Section J - Attachment J-2 (List B). <ul style="list-style-type: none"> <li>• Section C requires the contractor to develop and maintain a "DOE approved" Property Information Data System.</li> <li>• Section I, which includes FAR 52.245-1, states "The contractor shall have a system to manage Government Property in its possession. This system shall be developed in accordance with consensus standards and/or industry-leading practices and standards for Government Property." This clause does not require Government approval of the system.</li> <li>• Section J, Attachment J-2 (List B) includes requirements of DOE O 580.1, which requires DOE approval of the property system.</li> </ul> Please identify whether we should follow FAR 52.245-1 or DOE O 580.1.	The Contractor shall meet the requirements for approval of the property system as specified in DOE O 580.1. Additionally, the Personal Property Management System is required and shall be submitted for approval within 60 days of the contract award date pursuant to Section C.1.3.3 and Section J, Attachment J-3 of the Request for Proposals.
102.	C.1.4 C-18	In Section C.1.4, Support to Other DOE Contractors, there is a bullet "Access to waste storage facilities and systems." Does this provision mean: <ol style="list-style-type: none"> <li>1) Other site contractors must be allowed to physically enter the facilities and systems</li> <li>2) Other site contractors can use the facilities/systems to store and/or treat their waste, or</li> <li>3) We provide a service to other site contractors to store and/or treat their waste?</li> </ol> What liability does the Contractor have for other Contractors' waste? Are we required to characterize and dispose of other Contractor's waste, and if so, what waste (type and quantity) should we assume for proposal purposes? Do the Other DOE	It means that the Contractor is expected to coordinate and provide physical access to waste storage facilities so that other DOE contractors may store and/or treat their waste. DOE expects that the generator of the waste, i.e. other DOE contractors, will characterize their waste in accordance with DOE O 435.1. DOE expects that the Contractor would dispose of relatively small volumes (<500ft <sup>3</sup> /y) of low-level waste such as investigation-derived wastes. The Contractor will be responsible for ensuring that packaging, transportation and disposal requirements are met.

No.	Final RFP Section	Industry Question/Comment	Government Response
		Contractors have to meet requirements pursuant to DOE O 435.1 to certify their waste?	
103.	H.8 H-5	The “voluntary resignations” clause imposes a penalty even when the individuals leave voluntarily. This is outside of the control of the parent companies when individuals elect to take retirement (for which they may be eligible) or to take other positions (which they are always free to do). We recommend that this requirement be eliminated. Likewise, if within three (3) years of contract award, or within three (3) years of being placed in the position, whichever is later, any Key Personnel voluntarily resigns, the Contractor shall forfeit \$ 500,000 in fee if said Key Personnel is the Contractor’s General Manager, and \$250,000 in fee for each occurrence with all other Key Personnel. The Contractor may request, in writing, that the CO waive all or part of these reductions in fee, if special circumstances exist. The CO shall have unilateral discretion to waive or not to waive all or part of a fee reduction.	The Government has determined that the language contained in Clause H.8 is necessary to protect its interests. Therefore, this language will not be revised.
104.	H.18.B.4 H-16	Section H.18.A.xii states that the contractor is to use “Primavera Project Manager most current version” for scheduling. Section H.18.B.4 states that “Schedules shall be developed (with the current version of Primavera provided by the DOE-EM).” Please specify the specific version of primavera to be used by the contractor.	The current version of Primavera supplied by the Government is Primavera P6 Version 6.2.1.
105.	I.90 I-4	DOE stipulated that the contractor must notify the Government in writing within 10 calendar days from the date the contractor identifies a change. DOE normally employs a 30 day period which allows the contractor to quantify potential impacts and provides sufficient time to assess potential impacts and possibly eliminate the need for a change. We recommend that DOE revise the period to 30 days consistent with standard practice. (30(b), 30(d))	The Government has determined that the notification requirements as currently stated in FAR 52.243-7 are necessary to protect its interests and will not be revised.
106.	L.46 L-12 M.3 M-3	ES&H vs. ESH&Q – The key personnel clause and Factor 2 requirements name the key leader as ESH&Q Manager. However, the Section L and Section M requirements for Factor 2 only reference ES&H, implying that Quality does not have the same importance as ES&H. We recommend that DOE use ESH&Q across the entire RFP for consistency.	The language for Factor 1 – Technical Approach, has been revised in Provision L.4 and M.3 to place more of an emphasis on Quality Assurance.

No.	Final RFP Section	Industry Question/Comment	Government Response
107.	L.5(d) L-25	This table provides DOE project funding, but it is not clear whether DOE has included the 10% cost share from NY State. Please clarify whether bidders should add 10% to the funding for state cost share.	The cost share from New York State will not be used to fund the West Valley Phase 1 Decommissioning – Facility Disposition contract and should not be considered by Offerors in the preparation of their cost proposals. Offerors shall consider only the DOE funding profile as described in Table L.2 of Provision L-5 of the Request for Proposals.
108.	C.6.2 C.7.0 Pages C-27 C-31 C-34	Scope statement clearly states that the Contractor shall “...remove all lines in their entirety from the HLW Transfer Trench up to the interface with the Waste Tank Farm.” This conflicts with page C-54 which states that the lines and trench shall be “isolated” as opposed to removed. Additionally, page C-31 section C.7.0 Scope statement clearly says that the piping and trench are to be isolated versus removed. Please clarify DOE’s desired approach.	DOE requires the removal of lines in the HLW Transfer Trench from the Vitrification Facility up to WTF (WMA 1) boundary. The HLW Transfer Trench and lines it contains that still remain in the Waste Tank Farm, needs to be isolated at the Waste Tank Farm (WMA 1) Boundary.
109.	C.9.0 Pages C-32, -33	Section C.7.0 states, for Tank 8D-4, that the offeror shall only be responsible for characterization of Tank 8D-4 contents and preparation of a report to support future disposition decisions. By contrast, Section L, Attachment L-11, identifies 10,000 gallons in Tank 8D-4 that is <u>not</u> excluded from waste disposal. Is it DOE’s intention that the offeror shall characterize, package and dispose of the wastes in Tank 8D-4?	DOE expects the Contractor to characterize the contents of 8D-4 and to provide a recommendation for their disposition. DOE will subsequently request a proposal from the Contractor if DOE pursues a recommendation for disposition.
110.	Section B Page B-5	“Completion Documents List” includes “As-built and revised facility / site drawings and documentation of utility re-routing and isolations or operability.” Please clarify whether the offeror is expected to create new drawings to show the end state of the buildings that shows utility re-routing and isolations or operability?	The Contractor is expected to use existing site drawings to create new as-built drawings to document utility rerouting and isolations or operability.
111.	No Specific Section	Site-Demographics – Please provide a breakdown of site demographics – a full profile of the site staff, including job categories, years of service, retirement eligibility, and age distribution of the current staff by age grouping (20-29, 30-39, 40-49, 50-59, and 60+).	This information is not necessary for Offerors to prepare their cost proposals. The \$5 million pension figure in DOE Provided Costs in Provision L.5 is expected to cover all pension-related expenses including both existing incumbent pension plan funds and all legacy plans. Prospective Offerors shall use this figure to cover all pension-related expenses in the preparation of their cost proposals.
112.	L.4 Page	Paragraph 2 states that the “offeror shall describe how their organization and business systems allow for the allocation of	The West Valley Phase 1 Decommissioning – Facility Disposition Contractor will only be working at the West Valley

No.	Final RFP Section	Industry Question/Comment	Government Response
	L-18	resources at multiple sites and on multiple contracts.” Would DOE please provide identify the multiple sites and contracts on which the offeror will be working?	Demonstration Project. However, the intent of the referenced language is to require the Offeror to demonstrate their capability to allocate resources at the corporate level across all of their contracts.
113.	C.6.2 C.7.0 Pages C-26, C-27	Conflict between end state definition. The objective states that “all underground piping including process, wastewater and utility lines shall be isolated... in preparation for removal. A similar requirement exists in Section C.7.0 However, the scope statement at the end of Section C.6.2 states “the contractor shall dismantle and remove the vitrification facility to the floor slab and remove <u>all lines in their entirety from the HLW transfer trench up to the interface with the waste tank farm</u> . Please clarify the requirement.	DOE requires the removal of lines in the HLW Transfer Trench from the Vitrification Facility up to Waste Tank Farm (WMA 1) boundary. The HLW Transfer Trench and lines it contains that still remain in the, need to be isolated at the Waste Tank Farm (WMA 1) Boundary.
114.	L.5(d) Attachment L-14 Page L-25	Transition – Section L.5(d) states that “transition costs shall be included as part of the total cost of the PWS.” However, the WBS provided by DOE does not provide a WBS element for transition. Please provide a WBS for Transition?	Transition has not been assigned a Work Breakdown Structure element. However, transition will be a cost of performance under the Phase 1 Decommissioning – Facility Disposition contract and should be included as part of the total cost of performance.
115.	C.1.3.3 – Real and Personal Property Management H.17 L.5(u) Pages C-13 H-12 L-35	The listed pages reference a Property List whereby the “contractor is responsible for maintenance and operation of motor vehicles and equipment”. Section L(u) (page L-35) indicates that a GFP list is included in Section J Attachment titled, Government Furnished Property List. We have not been able to locate this Property List. Please provide the GFP list and itemize the number, type, age and condition of the items included.	The Property List will be available as Export Controlled Information (ECI). To request ECI, prospective Offerors shall follow the instructions on the Requesting Sensitive Information section of this web site.
116.	C.2.0 – Site Operations, Maintenance and Utilities L.5(i) – Offeror Proposed Costs Pages C-19 L-26	The work activities contained within PWS 2.0 require the offerors to operate and maintain all project facilities, and to provide costs for those operations. By contrast, for Section 2.4 DOE has provided a cost for all offerors to use. Option 1: So that all offerors can accurately estimate the annual cost, please provide additional information such as annual work load data, number of service orders and condition of the facilities, etc. for each of the PWS elements included in 2.0? Option 2: Would the DOE consider providing the annual cost for as a DOE-provided cost similar to WBS 2.4 - Site Utility	DOE intends to make a large quantity of documents available to prospective Offerors publicly through the Documents Library on the Phase 1 Decommissioning – Facility Disposition procurement web site and upon request by submitting a completed Export Control Briefing and Non-Disclosure Agreement. This information should be sufficient to enable Offerors to determine the conditions of all of the facilities at the site and to estimate the costs of C.2.1, C.2.2, and C.2.3.

No.	Final RFP Section	Industry Question/Comment	Government Response
		Services?	
117.		Are NRC fees associated with the review and certification of the 10 CFR 71 transportation packaging(s) to be utilized for the transport of the HLW canisters to be included in the project costing, or will the NRC certification efforts be covered under the WVDP Memorandum of Understanding between the DOE and NRC?	NRC fees associated with the review and certification of the HLW transportation system will be funded directly between DOE and NRC in accordance with the DOE/NRC WVDP Memorandum of Understanding .
118.	H.6	Please post the Contract Management Plan (referenced in H.6) on the reference document web site.	The Contract Management Plan for WVES will be posted in the Documents Library of the West Valley Phase 1 Decommissioning – Facility Disposition web site under “West Valley Environmental Services Contract General Information.”
119.		Please confirm that attachment L-4, Parts A and B, are not in the 100 page count for Volume 2.	Pursuant to the instructions contained in Section (c) of Provision L.4, Offerors shall use Attachment L-4 to provide Relevant Experience for three contracts for the Offeror, each joint venture partner, LLC member, and all major subcontractors. Part A of Attachment L-4 will be included as part of the page limitation for Volume 2, however, Part B will not. Attachment L-4 is also limited to no more than five pages for each contract.
120.		Are sub-tier subcontractors (subcontractors to a team subcontractor) considered critical subcontractors?	The term “critical subcontractor” applies to any subcontractor which is proposed to perform critical elements of the Performance Work Statement and which are crucial to successful contract performance regardless of the tier or dollar value.
121.	B.9(a) and L.5(m)(ii)	<b>Contract transition cost Page L-32 and B-10</b> Section B and Section L have a contradiction regarding Government-provided space for transition. Section B.9 (a) Transition Activities states that “ <i>The Government will provide logistical support (office space, computers, telephone, etc.) to the Contractor during the transition period. The office space provided will be at the Ashford Office Complex located at 9030 US Route 219, West Valley NY 14171.</i> ” Section L.5 (m) (ii), states that “ <i>...For proposal preparation purposes, the Offerors shall assume no facilities or equipment are available at the time of contract transition.</i> ” Please clarify what the Government will provide to the Offeror, if anything, during the transition period.	Provision L.5 has been revised via Amendment 001 to the Request for Proposals to state that the Government will provide logistical support to the Contractor during transition.
122.		Factor 3 – Relevant Experience, requires that “The Offeror shall describe its relevant experience ...including the	Consistent with the language for Factor 4 – Past Performance, the language for Factor 3 – Relevant Experience, in Provision L.4 has



No.	Final RFP Section	Industry Question/Comment	Government Response
		<p><b>experience of the Offeror, its predecessor companies, parent or holding companies (if relevant), <u>all teaming participants</u> and any other major subcontractors.”</b></p> <p>Factor 4 - Past Performance requires that “The Offeror shall submit the following information as part of its proposal: (1) <b>The Offeror shall provide a completed Attachment L.4...for the Offeror, each joint venture partner, LLC member, and all major subcontractors.</b></p> <p>Please clarify whether Attachment L-4 is required for only joint venture partners, LLC members and major subcontractors or if Attachment L-4 is required for all participants covered under teaming agreements, regardless of the annual average subcontract cost.</p>	<p>been revised to state that the Offeror shall provide information for three (3) contracts for the Offeror, each joint venture partner, LLC member and all major subcontractors using the Attachment L-4, Experience and Past Performance Reference Information Form, for each contract.</p>
123.		<p>Attachment L-4 – Experience &amp; Past Performance Reference Information Form, Part A – General Information and Description of Services, Item 2 asks for “Name of the entity reference contract was awarded to (e.g. the contractor or its proposed major <u>or critical subcontractor</u>). Based on this, is DOE expecting L-4 forms to be submitted for all critical subcontractors?”</p>	<p>This language has been deleted from the bottom of Attachment L-4 via Amendment 001 to the Request for Proposals.</p>
124.		<p>If Attachment L-4 (parts A &amp; B) are required to be completed and submitted with the proposal for both Major and Critical subcontractors, do the following Attachments, listed below, need to be submitted for both Major and Critical subcontractors as well?</p> <p>L-5 Environment, Safety, Health, and Quality Assurance Past Performance Form;</p> <p>L-6 Past Performance Questionnaire; and</p> <p>L-7 List of Terminated Contracts</p>	<p>The reference to major and critical subcontractors at the bottom of Attachment L-4 has been deleted from the Request for Proposals via Amendment 001. Pursuant to the instructions contained in Provision L.4 for Factor 4 – Past Performance, Past Performance is required for the Offeror, each joint venture partner, LLC member and all major subcontractors.</p>
125.	Section L.4(b)(1)	<p>Key Personnel Resumes and Organizational Structure (page L-18): Paragraph 3 states, “Additionally, the Offeror shall describe how their organization and business systems allow for the allocation of resources at multiple sites and on multiple contracts.”</p> <p>Should this RFP requirement state, “Additionally, the Offeror shall describe how their organization and business systems allow for the allocation of resources at West Valley”?</p>	<p>The West Valley Phase 1 Decommissioning – Facility Disposition Contractor will only be working at the West Valley Demonstration Project. However, the intent of the referenced language is to require the Offeror to demonstrate their capability to allocate resources at the corporate level across all of their contracts.</p>
126.	K.1(c)(1)(xix)	Prohibition on Engaging in Sanctioned Activities Relating to	This provision has been incorporated into Section K of the

No.	Final RFP Section	Industry Question/Comment	Government Response
	) FAR clause 52.225-25	Iran-Certification is applicable to this solicitation and indicates we should have this clause certified in ORCA. This clause is not included in the ORCA certification. How shall we include this in Section K?	Request for Proposals via Amendment 001.
127.	K.3(c)(1), (2), (3), and (4)	Is the formatting for K.3 FAR 52.230-1, Cost Accounting Standards Notices and Certification correct? There are asterisks instead of check boxes at K.3 I.(c)(1), (2), (3), (4) or II. Is this a misprint or were the asterisks intentional?	The asterisks have been replaced with a left and right bracket via Amendment 001 to the Request for Proposals.
128.	C.9 C-33	What waste has been covered under the existing WIR and what waste will need to be covered under a future “to-be developed” WIR?	Attachment L-11 of the Request for Proposals has been revised via Amendment 001 to provide information on the containers/vessels that will require Waste Incidental to Reprocessing evaluations before transportation and disposal are possible.
129.	I.68 I-3  I.121 I-5	I-68 FAR 52.228-7 Insurance – Liability to Third Persons (MAR 1996) and I-121 DEAR 952.231-71 Insurance – Litigation and Claims (AUG 2009), are both referenced in the RFP and both contain liability clauses. The DEAR 952.231-71 Clause in I-121 is more restrictive than the FAR Clause, and therefore potentially more costly. Both clauses are not usually used in the same contract. Please consider referencing only the FAR clause for liability purposes.	The Government has determined that inclusion of both clauses in the Request for Proposals and in the contract is necessary to protect its interests. Therefore, this clause will not be removed.
130.	<u>Draft</u> RFP – Clause I.138 I-6	Draft RFP Clause I.138 would have provided an opportunity for the Contractor to earn additional fee if it exceeded its small business subcontracting goals. With the new fee language, DOE removed the I.138 clause from the Final RFP. Would DOE reconsider reinserting this clause, since it would incentive the contractor to use more small businesses?	DOE has determined that the Request for Proposals has sufficient pre- and post-award requirements and incentives in place without FAR 52.219-10 to encourage teaming with and utilization of small businesses in the performance of the contract.
131.	M.3 – Factor 3 M-5 Factor 3	Section M.3, Factor 3 identifies an evaluation criteria, as follows: “The Offeror’s approach for proactively interfacing with other DOE site Contractors.” There is no corresponding requirement to address this interface in Section L. Please clarify DOE’s intent.	This sentence has been deleted from Section M.3 via Amendment 001 to the Request for Proposals.
132.	Section L.4(d)(3)	States that the offeror shall submit information “on all public and private contracts, as shown in Section L, Attachment L-5.” Attachment L-5 states that the offeror should provide information “for each of the three contracts.” We assume this	Attachment L-5 shall be submitted for each entity based on their companywide data and shall not be limited to the three contracts for which the Past Performance Questionnaires will be provided.

No.	Final RFP Section	Industry Question/Comment	Government Response
		means that the offeror should submit Attachment L-5 using only the three contracts referenced in Section L-4, whether those three are public or private. Is this assumption correct?	
133.	Section L.4(d)(3)	L.4 (d) (3) (Factor 4 - Past Performance) requests that <u>one</u> Attachment L-5 be submitted for the Offeror as well as for each major subcontractor and each member of joint ventures or LLC newly formed for purposes of performing this contract, if any. However, Attachment L-5 – Environment, Safety, Health, and Quality Assurance Past Performance Form requests that each member of Offeror’s team provide the Environment, Safety, Health and Quality Assurance Past Performance Form for <u>each of the three contracts</u> . Please confirm that only one L-5 form is required of each Offeror as well as for each major subcontractor and each member of joint ventures or LLCs.	Only one L-5 Form shall be submitted per entity. The referenced language has been revised to state that each member of the Offeror’s team shall provide a complete response to the Environment, Safety, Health and Quality (ESH&Q) Past Performance Indicators in Attachment L-5 for the <b><u>following periods: calendar year Year-to-Date (YTD), 2010, 2009, 2008 and 2007.</u></b>